



PATENT
Customer No. 22,852
Attorney Docket No. 7883.0097-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Katherine S. TWEDEN et al.)
) Group Art Unit: Unknown
Application No.: 10/639,614)
) Examiner: Unknown
Filed: August 11, 2003)
)
For: HEALING TRANSMYOCARDIAL)
IMPLANT)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SUBMISSION UNDER 37 C.F.R. §3.73(b)

Percardia Inc., a corporation of Delaware, is the assignee of the entire right, title and interest in the patent application identified above by virtue of chain of title from the inventor, of the patent application identified above, to Percardia, Inc. as shown below:

1. From: Katherine S. Tweden and Guy P. Vanney

To: HeartStent Corporation

The document in the parent application was recorded in the Patent and Trademark Office at Reel 9418, Frame 0920.

2. From: HeartStent Corporation

To: Percardia, Inc.

A copy of the document is attached. A copy of the document is also submitted herewith for recordation in the U.S. Patent and Trademark Office. This application is listed under the attached Patent Schedule as "Cont. of 10/095,165."

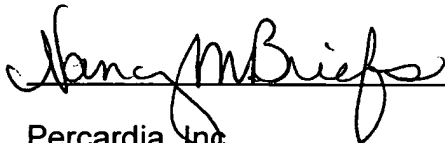
FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

Name: Nancy Briefs

Title: President & CEO

Signature:  Date: 2/1/03

Address: Percardia, Inc.
10 Al Paul Lane
Suite 202
Merrimack, NH 03054

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

ASSIGNMENT

WHEREAS, HeartStent Corporation, a Minnesota corporation ("HeartStent"), owns, by assignment, all right, title, and interest in the patents and patent applications listed on the Patent Schedule attached to this Assignment (the "Patents and Patent Applications") and any inventions disclosed and/or claimed therein (the "Inventions"); and

Percardia Inc., a Delaware corporation ("Percardia"), desires to own HeartStent's entire right, title, and interest in and to the Patents and Patent Applications and the Inventions, in all countries throughout the world.

NOW THEREFORE, be it known that, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, HeartStent hereby sells, assigns, transfers, and sets over to Percardia, its lawful successors and assigns,

HeartStent's entire right, title, and interest in and to the Patents and Patent Applications and the Inventions; any other U.S. and foreign patents and patent applications directed to any of the Inventions, including without limitation any divisional, continuation, and continuation-in-part; all reissues, reexaminations, renewals, extensions, and foreign equivalents of any of the foregoing; and all rights to claim priority on the basis of any of the above. The parties agree that the rights conveyed hereunder are to be held and enjoyed by Percardia, its successors and assigns, as fully as the same would have been held and enjoyed by HeartStent had this assignment not been made, and HeartStent hereby authorizes and requests the Commissioner of Patents and Trademarks of the United States and any official of any foreign country whose duty it is to issue patents on

applications as described above, to issue all patents for any of the Inventions to Percardia, its successors and assigns, in accordance with the terms of this Assignment.

AND, HeartStent HEREBY further covenants that it has the full right to convey the interest assigned by this Assignment, and it has not executed and will not execute any agreement in conflict with this Assignment.

Execution Copy

IN TESTIMONY WHEREOF, each party has caused its authorized representative

to execute this Assignment.

HeartStent Corporation

By

Name: DAVID H. MOWAT
Title: PRESIDENT, C.O.O.

Date

Percardia, Inc.

By

Name:

Title:

Date

Execution Copy

IN TESTIMONY WHEREOF, each party has caused its authorized representative
to execute this Assignment.

HeartStent Corporation

By _____
Name: _____
Title: _____
Date: _____

Percardia, Inc.

By Nancy Briff
Name: Nancy Briff
Title: President & CEO
Date: 10-24-03

9285935_1

Patent Assignment

PATENT SCHEDULEU.S. Patents and Patent Applications

Appln. Serial No.	Patent No.	Filing Date	Title
08/689,773	5,755,682	August 13, 1996	Method and apparatus for performing coronary artery bypass surgery
09/915,539	5,908,029	August 15, 1997	Coronary artery bypass with reverse flow
08/882,397	5,944,019	June 25, 1997	Closed chest coronary bypass
08/944,313	5,984,956	October 6, 1997	Transmyocardial implant
09/063,160	6,029,672	April 20, 1998	Transmyocardial implant procedure and tools
09/135,879	6,053,942	August 18, 1998	Transmyocardial implant with coronary stent
09/063,161	6,076,529	April 20, 1998	Transmyocardial implant with inserted vessel
09/055,488	6,093,166	April 3, 1998	Coronary bypass implant
09/246,596	6,102,941	February 8, 1999	Transmyocardial implant with coronary ingrowth
09/373,790	6,113,630	August 13, 1999	Transmyocardial implant with minimized coronary insertion
09/094,136	6,113,823	June 9, 1998	Pyrolytic carbon transmyocardial implant
09/054,815	6,123,682	April 3, 1998	Closed chest coronary bypass
09/145,843	6,139,541	September 2, 1998	Guide for transmyocardial implant
09/311,003	6,182,668	May 13, 1999	Transmyocardial implant with induced tissue flap
09/232,272	6,193,726	January 15, 1999	Insertion tool for transmyocardial implant
09/152,586	6,197,050	September 14, 1998	Transmyocardial implant with compliance collar
09/009,674	6,214,041	January 20, 1998	Transmyocardial implant with septal perfusion
09/179,711	6,223,752	October 27, 1998	Transmyocardial implant procedure
09/433,454	6,237,607	November 4, 1999	Transmyocardial implant procedure
09/009,400	6,250,305	January 20, 1998	Method for using a flexible transmyocardial implant
09/548,173	6,350,248	April 13, 2000	Expandable myocardial implant
09/548,175	6,361,519	April 13, 2000	Mesh tip myocardial implant
09/141,284	6,406,488	August 27, 1998	Healing transmyocardial implant
09/304,650	6,406,491	May 4, 1999	Compliant transmyocardial implant
09/304,730	6,409,697	May 4, 1999	Transmyocardial implant with forward flow bias

Appln. Serial No.	Patent No.	Filing Date	Title
09/793,318	6,454,760	February 26, 2001	Insertion tool for transmyocardial implant
09/326,819	6,454,794	June 7, 1999	Coronary bypass implant
09/686,689	6,582,463	October 11, 2000	Autoanastomosis
10/043,684		January 9, 2002	Coronary Bypass Implant
10/076,735		February 15, 2002	Transmyocardial Implant With Improved Flow
10/245,556		September 17, 2002	Coronary Bypass Implant
Cont. of 10/095,165		August 11, 2003	Healing Transmyocardial Implant
Cont. of 10/043,684		October 10, 2003	Coronary Bypass Implant
10/155,926		May 23, 2002	Transmyocardial Implant With Flow Reduction
09/975,746		October 10, 2001	Stabilized Transmyocardial Implant
10/439,344		May 15, 2003	Autoanastomosis
09/975,740		October 10, 2001	Flexible Transmyocardial Implant
09/931,655		August 16, 2001	Interventional Diagnostic Catheter and a Method for Using a Catheter To Access Artificial Cardiac Shunts
09/768,930		January 24, 2001	Autoanastomosis Device And Connection Technique
09/971,354		October 4, 2001	Multi-Lumen Implant
09/769,746		January 25, 2001	Intravascular Ventriculocoronary Artery Bypass Delivery Modalities
10/075,518		February 13, 2002	Cardiac Implant and Methods
10/023,314		December 14, 2001	Interventional Catheter With Three Dimensional Articulation
09/972,779		October 5, 2001	Transmyocardial Implant With Reinforcing Wrap
09/976,258		October 11, 2001	Medical Device With Enhanced Guide Capabilities
10/238,574		September 9, 2002	Device for Placing Transmyocardial Implant
10/153,341		May 21, 2002	Transmyocardial Implant Delivery System
10/052,156		January 16, 2002	Encased Implant and Methods
10/150,621		May 17, 2002	Transmyocardial Implant With Natural Vessel Graft and Method

Foreign Patents and Patent Applications

Country	Appln. Serial No.	Patent No.	Filing Date	Title
Australia	4057397	716771	August 12, 1997	Coronary Bypass Implant
Belgium	97938185.2	959815	August 12, 1997	Coronary Bypass Implant
Switzerland	97938185.2	959815	August 12, 1997	Coronary Bypass Implant
Germany	97938185.2	959815	August 12, 1997	Coronary Bypass Implant
Europe	97938185.2	959815	August 12, 1997	Coronary Bypass Implant
France	97938185.2	959815	August 12, 1997	Coronary Bypass Implant
Great Britain	97938185.2	959815	August 12, 1997	Coronary Bypass Implant
Great Britain	97171169	2316322	August 12, 1997	Coronary Bypass Implant
Ireland	97938185.2	959815	August 12, 1997	Coronary Bypass Implant
Japan	9216550	2886847	August 11, 1997	Coronary Bypass Implant
Norway	990688	990688	August 12, 1997	Coronary Bypass Implant
New Zealand	334541	334541	August 12, 1997	Coronary Bypass Implant
Portugal	97938185.2	959815	August 12, 1997	Coronary Bypass Implant
Canada	2262623		August 12, 1997	Coronary Bypass Implant
Europe	02014488.7		August 12, 1997	Method and Apparatus for Performing Coronary Artery Bypass Surgery
Germany	199839255		November 10, 1999	Transmyocardial Implant With Coronary Ingrowth
Europe	98942170.6		August 20, 1998	Transmyocardial Implant
Europe	98965487.6		December 22, 1998	Transmyocardial Implant With Septal Perfusion
Canada	2341521		August 24, 1999	Transmyocardial Implant
Europe	99943852.6		August 24, 1999	Transmyocardial Implant
Japan	00567153		August 24, 1999	Transmyocardial Implant
Germany	100844502		March 27, 2000	Compliant Transmyocardial Implant
Japan	00614922		March 27, 2000	Compliant Transmyocardial Implant
PCT	PCT/US02/26226		August 15, 2002	Interventional Diagnostic Catheter and a Method for Using a Catheter to Access Artificial Cardiac Shunts
PCT	PCT/US02/31659		October 2, 2002	Transmyocardial Implant With Reinforcing Wrap